In the High Court of Punjab and Haryana, Chandigarh.

C.W.P.No.1576 of 2007

Date of Decision: 1.2.2007

Sneh Latta through her Special Power of Attorney Sat Pal.

…Petitioner.

Versus

Civil Judge, Junior Division, Hoshiarpur. …Respondent.

CORAM: HON'BLE MR.JUSTICE M.M.KUMAR
HON'BLE MR.JUSTICE RJAESH BINDAL

Present: Mr.Sat Pal, Special Power Attorney of Sneh Latta, Petitioner.

JUDGMENT

M.M.KUMAR, J. (ORAL)

The grievance made in this petition filed under Article 226 of the Constitution is that direction be issued to the Civil Judge for re-opening the case of the petitioner. It is appropriate to mention that the Civil Judge on 23.2.2006 has dismissed the suit in default as per the order reproduced in para 8 of the petition. The appropriate remedy of the petitioner lies in seeking restoration of the aforementioned suit and no Writ Petition would be maintainable for the relief sought. Accordingly, we relegate the petitioner to avail of proper remedy in accordance with the provisions of C.P.C. The Writ Petition is dismissed.

(M.M.KUMAR)
Judge

February 1, 2007 **(RAJESH BINDAL)**
dkb **Judge**